

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Anthony J. Iodice,

Plaintiff,

-against-

Long Island Rail Road,

Defendant.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: July 29, 2011

10 Civ. 06430 (PAC)
ORDER OF DISMISSAL

HONORABLE PAUL A. CROTTY, United States District Judge:

In light of the status of this case¹, it is,

ORDERED, that the above-entitled action be and hereby is DISMISSED, without prejudice and without costs. Either party shall notify the Court in the event this matter should be reinstated. The Clerk of Court is directed to close this case.

Dated: New York, New York
July 29, 2011

SO ORDERED



PAUL A. CROTTY
United States District Judge

¹ See the attached letter dated July 27, 2011 from plaintiff's counsel, Ira M. Maurer.



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July 27, 2011

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Hon. Paul A. Crotty
United States District Judge
United States Courthouse
500 Pearl Street, Room 735
New York, New York 10007-1312

Re: Iodice v. LIRR
10-cv-06430-PAC

Dear Judge Crotty,

I represent the plaintiff in the above-referenced matter. This letter is written as a status report. Mr. Iodice had right shoulder surgery on July 12, 2011 by Dr. Price and is now recovering. Counsel for both parties have spoken and agreed that as a condition precedent to meaningful settlement discussions, the plaintiff will have to return to work so we can calculate his wage loss and will have to recover sufficiently so he can undergo an IME by a defense medical expert. For the foregoing reasons, I would suggest that the final pre-trial conference be adjourned indefinitely and, with the Court's permission, I will write to advise the Court as soon as the plaintiff returns to work and the IME is scheduled.

Respectfully,

Ira M. Maurer, Esq.

IMM/im
Cc: Tom Chiofolo, Esq.
By: Fax: 718-558-8211